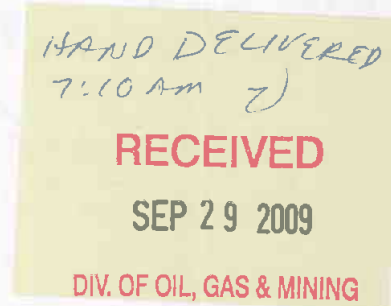


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**Chris Kaiser**  
Principal Advisor  
Environmental Operations Support  
Kennecott Utah Copper

**Mr. Paul Baker, Manager**  
Minerals Regulatory Program  
Division of Oil, Gas & Mining  
Utah Department of Natural Resources  
P.O. Box 145801  
Salt Lake City, Utah 84114 - 5801

September 28, 2009



Re: M/035/002 – Bingham Canyon Mine  
Notice of Continuing Use of Random Fill Borrow Area

Dear Mr. Baker:

Kennecott wishes to advise the Division that the random fill borrow area previously identified and approved (Jensen, Baker) and utilized for the Magna & Arthur complex reclamation will continue to remain active providing material for current and future North End construction activities. An aerial photo of the location is included below. Material removed will be bank run material with no blasting, crushing or screening.

Per previous correspondence and inspections, all disturbed borrow areas will be re-graded and seeded upon determination that the area will no longer serve as a source of borrow.

Please contact me or Denise Powers at 801-569-6407 should you have any questions concerning this submittal.

Sincerely,



**Chris Kaiser**  
Principal Advisor  
Environmental Operations Support  
Kennecott Utah Copper

**RECEIVED**

SEP 29 2009 0019

DIV. OF OIL, GAS & MINING



Random fill borrow area previously identified and approved